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27 SEP 2007

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Alexandria, VA 22314

In re Application of	:	
SEINO <i>et al</i>	:	
Application No.: 10/576,721	:	
PCT No.: PCT/JP2004/015231	:	
Int. Filing Date: 15 October 2004	:	DECISION ON PETITION
Priority Date: 23 October 2003	:	
Atty. Docket No.: 290087US0PCT	:	
For: METHOD FOR PURIFYING	:	
LITHIUM SULFIDE	:	

This is in response to applicants' "PETITION UNDER 37 C.F.R 1.182" filed in the U.S. Patent and Trademark Office (USPTO) on 03 July 2007, which requests that the name of the first named inventor be corrected to Yoshikatsu Seino.

BACKGROUND

On 07 June 2007, this office mailed a NOTIFICATION OF DEFECTIVE RESPONSE indicating that the declaration filed 26 January 2007, was not in compliance with 37 CFR 1.497.

On 03 July 2007, applicants filed the present petition which was accompanied by, *inter alia*, the requisite petition fee and a declaration of Yoshikatsu Seino.

DISCUSSION

A review of the present response reveals that applicants are urging that the name of the first named inventor was listed as Yoshikatsu Kiyono "in the International Application due to an inadvertent error." However, applicants have provided no explanation as to the specifics concerning this error, e.g., how and when was the error made, when was the error discovered, etc. It is also noted that inventor Seino's statement does not set forth that the error was made without any deceptive intent on inventor Seino's part. Absent such an explanation and statement the petition may not be properly be granted at this time.

**CONCLUSION**

For the reasons above, the petition is **DISMISSED** without prejudice.

If reconsideration on the merits of this petition is desired, a proper response must be filed within TWO (2) MONTHS from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.182." No additional petition fee is required.

A proper response must include a statement by someone having firsthand knowledge of the facts concerning the error in the naming of the first named inventor in the filing of the International Application and a statement by inventor Seino setting forth that the error was made without any deceptive intent on inventor Seino's part.

Extensions of time may be obtained under 37 CFR 1.136(a).

Please direct further correspondence with respect to this matter to the Commissioner for Patents, Mail Stop PCT, PO Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the Office of PCT Legal Administration.



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